

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HARBANS SINGH,

Defendant.

CASE NO. CR20-085 RAJ

ORDER CONTINUING TRIAL

THIS COURT having considered the Motion of the United States to continue the trial date and the facts set forth therein, the defendant's response, and the United States' reply hereby FINDS as follows:

1. The trial date in this matter was initially set 69 days after the defendant's initial appearance.
2. The defendant filed his first motion to dismiss on August 18, 2020, and this Court held a hearing on the defendant's three motions to dismiss on November 4, 2020. The 78 days between August 18, 2020, and November 4, 2020 are therefore excluded under 18 U.S.C. § 3161(h)(1)(D) from the Speedy Trial Act's 70-day trial deadline. *See* 18 U.S.C. § 3161(c)(1). As a result, 49 days of the original 70-day Speedy Trial Act deadline remain.

- 1 3. This Court previously moved the October 5, 2020 trial date to February 16, 2021.
2 *See* Dkt. 58.
- 3 4. Based on General Orders 11-20, 13-20, 15-20, and 18-20 of the United States
4 District Court for the Western District of Washington, which Orders are
5 incorporated herein by reference; the Court's other General Orders regarding
6 COVID-19; the health directives discussed in those Orders; and the latest data on
7 the deadly surge of COVID-19 cases that the country and Washington state is
8 currently experiencing, recommended social distancing and other health measures,
9 along with risks to jurors, witnesses, counsel, the parties, the Court, and courtroom
10 security, have made or will make it impossible to proceed with a jury trial between
11 July 28, 2020 and March 31, 2021.
- 12 5. In addition, the "nature of the prosecution" is also "unusual," in that the
13 government anticipates that it will attempt to introduce evidence from the United
14 Kingdom through the testimony of at least one local law enforcement officer from
15 the United Kingdom, which officer will have to travel during a pandemic that has
16 closed international borders, and after a new strain of COVID-19 was discovered
17 in the United Kingdom. 18 U.S.C. § 3161(h)(7)(B)(i).
- 18 6. Due to these considerations, and given the facts outlined in the government's
19 motion, the ends of justice served by continuing the trial in this case outweighs the
20 best interest of the public and the defendant to a speedy trial, and the time between
21 July 28, 2020, and March 31, 2021, is excludable time under 18 U.S.C. §
22 3161(h)(7)(A).

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1 IT IS THEREFORE ORDERED that the United States' Motion to Continue Trial
2 Date (Dkt. # 59) is GRANTED. The trial date in this case is continued to April 12, 2021 at
3 9:00 a.m.

4 IT IS FURTHER ORDERED that defendant is granted leave to file additional pretrial
5 motions no later than February 25, 2021. Any additional pretrial motions shall be limited
6 only to issues related to the charges set forth in the Superseding Indictment which differ
7 from those contained in the original Indictment and which could not have been brought prior
8 to the filing of the Superseding Indictment.
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11 DATED this 21st day of January, 2021.

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14 The Honorable Richard A. Jones
15 United States District Judge
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